IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3238 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KANCHANBALA HARSHADRAI JHALA

Versus

STATE OF GUJARAT

Appearance:

MR MD RANA for Petitioner

MR SP HASURKAR WITH MRS TALATI for Respondents

CORAM : MR.JUSTICE J.N.BHATT

Date of decision: 11/02/2000

ORAL JUDGEMENT

1. When the matter was called out, Mr.M.D.Rana, learned counsel for the petitioner and Mr.S.P.Hasurkar, learned Additional Government Pleader were present.

2. Upon a joint request, the following order is

passed :-

It appears that the petitioner is a widow of deceased Government servant - Dr. Harshadrai Dolatrai Jhala, who retired in the year 1961, and expired in the year 1975, and she seeks benefit of family pension under the Scheme introduced by the Government of Gujarat. It seems that, the family pension dispute could not be resolved by the respondent - authority, for want of certain particulars.

The husband of the petitioner Dr. H.D.Jhala, who was superannuated at the age of 55 years from Class I Gazetted Officer's Post, in the year 1961. He entered the services during the Western India States Agency under the British Regime from 1st July 1942. He was, thereafter, taken up as a Medical Officer, on and from 20th July 1982. During the Western India States Agency, he served at different places and he was at Songadh in the Bhavnagar district, when he retired. The deceased drew the pension from Sub Treasury Office, Junagadh, and expired on 9th December 1975.

The case of the petitioner widow is required to be examined and determined by the respondent - authority, so far so, it has not been finalized. Mr. Hasurkar, learned counsel has rightly indicated that the case of the petitioner will be considered and disposed of within the period of three months from the date of receipt of the writ of this Court.

In the circumstances, the respondent - authority is directed to expedite the pending case of petitioner for family pension, and decide it in accordance with the Rules, as early as possible, since the matter is very old, however, in any case, not later than the period of three months, from the date of receipt of the writ of this Court.

3. In view of the aforesaid directions, this petition is required to be disposed of accordingly, at this stage. Accordingly, it shall stand disposed of. Rule discharged. No orders as to costs.

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